IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO. 609 OF 2003

IN

SUIT NO. 623 OF 2003

Smt. Geeta wd/. Rohit R.
Vira and ors. .....**Plffs.**
vs.
Raghavji Umershi Shah alias Vira
and ors. .....**Defnds.**

Mr.Shailesh Shah a/w. Abhay Patki i/b. S..D. Rasal for the plaintiffs.
Mr. Sanjay Jain a/w. K.A. Chotani for the defendants.

CORAM: S.U. KAMDAR, J.

DATE : 15th September, 2005.

P.C. :.

1. Learned counsel appearing for the defendants states that defendant will not alienate, encumber or create any third party rights inrespect of Shop No.5 and 6 situated at Naukar Bldg, Malad(W).

Learned counsel for the defendant also states that he will file accounts inrespect of business carried out from the said shop in the name and style of ‘R.J. Super Shop’ every yearly and copy thereof will be furnished to the plaintiff. The plaintiff is already in possession of residential flat at 8,Triputi Building, Malad(W) and the defendant will not interfere or take any steps inrespect of the said flat and the plaintiff will not alienate, encumber or create any third party rights inrespect of the said flat. Learned counsel appearing for the defendant further states that defendant no.1 and 2 shall pay a sum of Rs.20,000/- per month towards the maintenance subject to account at the final hearing of the suit and without prejudice to his rights and contentions that the plaintiff is not entitled to the aforesaid amount. The said amount will be paid from 10.10.2005 every month regularly. The plaintiffs accept the said order. In view thereof motion disposed off accordingly. No order as to costs.

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